

REMARKS

Claims 1-13 have been canceled. Claims 14-16 remain pending in the application.

Applicants amend claims 14-16 to correct minor errors. No new matter has been added.

Applicant submitted a claim for foreign priority under 35 U.S.C. § 119 from Japanese patent application number 10-361579 (filed December 18, 1998), and a certified copy of the foreign priority application. The Examiner acknowledged Applicants' filings by indicating that certified copies of the priority documents have been received in Application No. 10-361579. Applicants respectfully submit that the priority documents were not received in Application No. 10-361579. The proper notation for item 13 on the Office Action Summary should be that "a) all 1. certified copies of the priority documents have been received." The certified copies were of the priority application no. 10-361579 received in the present application and not received in the priority application. Applicants respectfully request that the Examiner make the proper receipt acknowledgement of the certified copy of the priority document.

The Examiner also has not objected to the drawings. Applicants respectfully request that the Examiner indicate acceptance of the drawings.

Claims 14-16 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,574,216 to Farris et al. in view of U.S. Patent No. 6,064,653 to Farris. Applicants respectfully traverse the rejection.

In maintaining the claim rejection, the Examiner appears to have disregarded the significance of the claimed exchange disconnecting "a connection to the Internet gateway." Farris et al. and Farris, as applied by the Examiner, do not appear to describe any scheme whereby a call may be re-originated after disconnection during a network switch. Significantly, Farris et al., in col. 11, lines 1-21, describe rerouting an Internet call through the PSTN by

maintaining a "3-way" connection through the Internet between a caller SSP and a called SSP (13 and 17).

"[e]ffectively, the call is regenerated between the SSPs 13 and 17, while transmission concurrently takes place through the established Internet route.

... Transmission through the Internet is then terminated and communication of the call continues through the established PSTN connection." Col. 11, lines 12-21 of Farris et al. (Emphasis added)

The Examiner appears to have failed to, otherwise, address where the calling number (or information for connecting a call between the parties) can be found after a call is disconnected in Farris et al. or Farris. The Examiner simply stated that "it is inherent that the 'exchange' in Farris '216 will have to store the telephone number of the called party to effect the switching. " (Please see page 4, lines 1-3 of the Office Action). With reference to the portions regarding the "3-way" connection of Farris et al. cited above, the Examiner's statement is plainly inaccurate. Farris et al. do not contemplate the scenario of a call being disconnected and thereafter re-originated in an alternative network as part of the switching. Indeed, Farris et al. explicitly describe maintaining a "3-way" connection to affect the switch. As such, Farris et al. do not, explicitly or inherently, disclose storing any information for re-originating a call between the parties after disconnection during a switch to another network.

The Examiner acknowledged that Farris et al. does not teach disconnecting an "established call connection via a second trunk from the PSTN and re-originating the call to the calling party through the Internet via a first trunk." (Page 4, lines 7-9 of the Office Action). The Examiner relied upon Farris as a combining reference to teach this feature. Corresponding to the Internet-to-PSTN rerouting of Farris et al. discussed above, Farris appears to describe a scheme of rerouting a PSTN ISDN connection through the Internet while maintaining the original

connection until it is established that the Internet connection is acceptable. (Please see col. 14, lines 34-44 of Farris). As such, neither Farris et al. nor Farris appear to describe or suggest re-originating a call through an alternative network after disconnecting an original connection.

Thus, even assuming, arguendo, that it would have been obvious to one skilled in the art to combine Farris et al. and Farris at the time the claimed invention was made, the combination would still fail to disclose or suggest

“when a connection has been established to the Internet gateway via the first trunk, the switch control part causes the exchange to disconnect a connection to the Internet gateway via the first trunk and to release the first trunk in response to pushing a button by a caller of the calling party after an on-hook operation by the caller during a telephone call to the called party via the Internet via the first trunk, and wherein the re-origination control part thereafter causes the exchange to re-originate a call of the calling party to the called party via the public telephone network via the second trunk by using the telephone number of the called party stored in the memory; and

when a connection has been established to the public telephone network via the second trunk, the switch control part causes the exchange to disconnect a connection to the public telephone network via the second trunk and to release the second trunk in response to pushing a button by the caller of the calling party after an on-hook operation by the caller during a telephone call to the called party via the public telephone network via the second trunk, and wherein the re-origination control part thereafter causes the exchange to re-originate a call of the calling party to the called party via the Internet gateway via the first trunk by using the telephone number of the called party stored in the memory,” as recited in claim 14. (Emphasis added)

Accordingly, Applicant respectfully submits that claim 14 is patentable over Farris et al. and Farris, individually and in combination, for at least the foregoing reasons. Claim 15 and 16

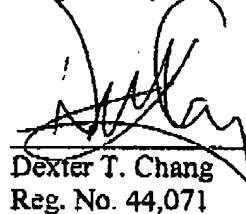
include features corresponding to those of claim 14 cited above and are, therefore, patentable over the cited references for at least the same reasons.

The above statements on the disclosures in the cited references represent the present opinions of the undersigned attorney. The Examiner is respectfully requested to specifically indicate those portions of the respective reference that provide the basis for a view contrary to any of the above-stated opinions.

In view of the remarks set forth above, this application is in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,



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